

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARCUS MANDELLE KELLEY,

Petitioner,

Civil No. 2:18-CV-11161

HONORABLE DENISE PAGE HOOD

v.

CHIEF UNITED STATES DISTRICT JUDGE

MELINDA BRAMAN,

Respondent.

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ORDER DENYING WITHOUT PREJUDICE THE MOTION TO STAY

Marcus Mandelle Kelley (“petitioner”), filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, through counsel, Phillip D. Comorski, in which he challenges his conviction for two counts of manufacture or delivery of less than 50 grams of cocaine, Mich. Comp. Laws § 333.7401(2)(a)(iv), two counts of manufacture or delivery of 50 to 449 grams of cocaine, § 333.7401(2)(a)(iii), and one count of conspiracy to manufacture or delivery 50 to 449 grams of cocaine, §§ 333.7401(2)(a)(iii) and 750.157a.

Petitioner has now filed a *pro se* motion to stay the petition (Dkt. # 6). For the reasons that follow, the motion to stay is denied without prejudice for petitioner to re-file a motion to stay through his current counsel.

A habeas petitioner who is represented by counsel, such as petitioner, is not entitled to consideration of any *pro se* motions that he files on his behalf, because he is not entitled to “proceed by means of hybrid representation” in his case. *See Jones v. Bradshaw*, 138 F. Supp. 3d 921, 923 (N.D. Ohio 2015)(citing *United States v. Mosely*, 810 F.2d 93, 97 (6th Cir.1987)). Petitioner is represented by competent counsel. Accordingly, the Court will bar petitioner from filing further *pro se* pleadings while he is represented by counsel. The Court will deny petitioner’s *pro se* motion to stay the petition. (Dkt. # 8). The denial is without prejudice to allow petitioner to re-file such a motion through his current counsel.

	<u>s/DenisePage Hood</u>
	HON. DENISE PAGE HOOD
Dated: February 1, 2019	CHIEF UNITED STATES DISTRICT JUDGE